



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of David A. Potts

Date: October 11, 2003

Serial No. 10/053,311

Examiner: K. W. Mitchell

Filed: 1/17/2002

Art Group: 1724

For: Dewatering a leach field

Atty. Docket No. 2032

1724-1
10/25/03
me
E.O.T.A. month

RESPONSE TO RESTRICTON REQUIREMENT & AMENDMENT

✓ This is a response to the office action of August 11, 2003.

Applicant requests a one-month extension of time, for which fee payment of \$55 is enclosed. Please charge any fee deficiency, or credit any excess, to Deposit Account No. 14-0711.

Applicant elects to prosecute Group I, that is, claims 1-9, 11, 12, 16 and 17, with traverse as below.

Applicant traverses the requirement with respect to claim 10 (Species III) on the grounds that claim 1 is generic to said species, on the plain wording of claim 1 and 10 and 13, and because reasons have not been given. Claim 10 simply embraces a subset of collection points, namely vertical pipes.

Notwithstanding, if the examiner refuses to withdraw the restriction upon reconsideration, for purposes of prosecuting this application now, applicant admits that claim 10 is not a patentably distinct species.

With respect to claims 13-15, amendments are submitting, making them dependent claims and otherwise amending them as indicated on the enclosure listing of claims. Reconsideration of the restriction requirement for those claims is thus requested.

Respectfully submitted,
DAVID A. POTTS

By


His Attorney

Charles G. Nessler
Box H
Chester, CT 06412
(860) 526 9149
fax 860 526 1043
email cn@cnessler.com

RECEIVED
OCT 21 2003
GROUP 3600


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope

10/20/2003 AWONDAF1 00000048 10053311

01 FC:2251

55.00 OP

addressed to Assistant Commissioner of Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on October 11, 2003


C. G. Nessler